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**BEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF UTAH**

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UTAH INSURANCE DEPARTMENT,  Complainant,  v.  MICHELLE LYNN COLLUP 2363 Lagoon view Dr. Cardiff by the Sea, CA 92007 License No. 442939  Respondent.	<b>STIPULATION AND ORDER</b>    Docket No. 2015-033 PC  Enf. Case No. 3595  Judge Mark Kleinfeld Administrative Law Judge
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**STIPULATION**

The Utah Insurance Department ("Department"), by and through its legal counsel, and Michelle Lynn Collup ("Respondent") hereby stipulate and agree as follows:

1. Respondent is an active non-resident insurance producer holding Utah License No. 442939. Respondent's business address is 2363 Lagoon View Drive, Cardiff by the Sea, CA 92007.

2. The Department has jurisdiction over the parties and subject matter of this administrative action.

3. Respondent acknowledges notice of agency action pursuant to Utah Code § 63G-4-201; acknowledges that this Stipulation and Order is an informal proceeding pursuant to Utah Code § 63G-4-202; and irrevocably waives the right to any hearing, review or appeal concerning this matter.

4. Respondent has the right to be represented by legal counsel and waives this right by either having sought the advice of legal counsel or by having voluntarily chosen not to do so.

5. This signed Stipulation and the signed and adopted Order by the Commissioner, along with any Findings of Fact and Conclusions of Law, shall not be subject to any reconsideration, renegotiation, modification, hearing or agency review or appeal.

6. If an administrative hearing were held, the Department could provide evidence that would support the Findings of Fact presented below; therefore, the Findings of Fact and Conclusions of Law presented below are accepted by the parties.

7. The issuance of the signed and adopted Order proposed below is solely for the purpose of disposing of the specific matter entitled herein.

8. The only promises, agreements and understandings that the parties have regarding this matter are contained in this Stipulation.

9. Respondent enters into this Stipulation voluntarily, knowingly, and free from any coercion of any kind.

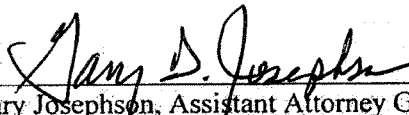
10. The persons signing this Stipulation on behalf of the named parties hereby affirm

that they are authorized to sign and bind the parties.

Dated this 30 day of March, 2015.

  
MICHELLE LYNN COLLUP

Dated this 30<sup>th</sup> day of March, 2015.

  
Gary Josephson, Assistant Attorney General  
UTAH DEPARTMENT OF INSURANCE

Based upon the foregoing Stipulation and Department file, the Presiding Officer makes the following Findings of Fact:

**FINDINGS OF FACT**

1. On January 31, 2013, the State of Oregon entered an administrative Order that required Respondent to pay restitution of broker fees within a certain amount of time. The Department was notified of the administrative action and Respondent was informed that any administrative action must be reported to the Department within thirty days of final disposition.
2. On September 12, 2014, the State of Oregon entered a second administrative order permanently revoking Respondent's Oregon non-resident producer license.
3. On January 8, 2015, the Department received a referral containing allegations that Respondent had failed to notify the Department of the September 12, 2014 administrative action

taken against her in Oregon.

4. On January 12, 2015, the Department letter sent Respondent a letter outlining the alleged violations and on January 28, 2015, Respondent replied to the Department via email explaining the circumstances regarding the Oregon license revocation. Respondent also included a copy of the Oregon Order.

5. Correspondence between the Department and Respondent resulted in Respondent's agreement to the Department's recommendation of an administrative forfeiture in the amount of \$1,000.00.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

#### **CONCLUSIONS OF LAW**

1. Utah Code Section 31A-23a-105(2)(a)(b)and(c) states, in part, that a licensed individual or producer shall report to the commissioner an administrative action taken against that person. The report of an administrative action shall be filed within 30 days of the final disposition of that administrative action. Respondent violated this provision by failing to report the administrative action taken against her by the State of Oregon.

2. The agreed to administrative forfeiture in the amount of \$1,000.00 is appropriate under the circumstances of this matter.

Based upon the foregoing Stipulation, Findings of Fact and Conclusions of Law, the Presiding Officer herewith enters the following Order:

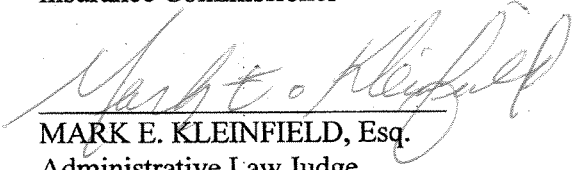
**ORDER**

**IT IS HEREBY ORDERED:**

1. Respondent, Michelle Lynn Collup is hereby assessed an administrative forfeiture in the amount of \$1,000.00.
2. The administrative forfeiture shall be paid to the Department within 30 days of the date of the signed Order.

DATED this 30 day of March, 2015.

TODD E. KISER  
Insurance Commissioner

  
MARK E. KLEINFELD, Esq.  
Administrative Law Judge  
Utah Department of Insurance  
State Office Building, Room 3110  
Salt Lake City, UT 84114  
Telephone (801) 538-3800

**NOTIFICATION TO RESPONDENT**

You are hereby notified that a failure to obey an Order of the Commissioner may subject you to further penalties, including forfeitures of up to \$5,000 per violation and the suspension or revocation of your license and the filing of an action in district court, which may impose forfeitures of up to \$10,000 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

**CERTIFICATE OF MAILING**

The undersigned hereby certifies that on this date, a true and correct copy of the foregoing  
**STIPULATION AND ORDER** were mailed, postage prepaid, to the following:

MICHELLE LYNN COLLUP  
2363 LAGOON VIEW DRIVE  
CARDIFF BY THE SEA, CA 92007

Dated this 30<sup>th</sup> day of March, 2015.



LINDA HARDY  
UTAH INSURANCE DEPARTMENT  
STATE OFFICE BUILDING, ROOM 3110  
SALT LAKE CITY, UT 84114-6901



## State of Utah

GARY R. HERBERT  
Governor

SPENCER J. COX  
Lieutenant Governor

# Insurance Department

## UTAH Invoice - Original

MICHELLE LYNN COLLUP  
COLLUP, MICHELLE LYNN  
2363 LAGOON VIEW DR  
CARDIFF BY THE SEA CA 92007-1507

Printed Date: March 30, 2015  
Invoice Date: March 30, 2015  
Balance Due: \$1,000.00  
Due Date: May 4, 2015  
Invoice ID: 759103  
Payor ID: 1524292

Date	Item Description	Amount	
03-30-2015	Monetary Penalty Individual	\$1,000.00	E-Case 3595 2015-033 PC

No Adjustments

No Payments

**Balance Amount Due** \$1,000.00

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## UTAH Invoice - Original

Make check payable to: Utah Insurance Department  
Send payment to:  
Utah Insurance Department  
3110 State Office Building  
Salt Lake City, UT 84114-6901

Invoice Date: March 30, 2015  
Balance Due: \$1,000.00  
Due Date: May 4, 2015  
Invoice ID: 759103  
Payor ID: 1524292

E-Case 3595 2015-033 PC

**Detach and Return this Voucher with Payment**  
**Payments Will Not Be Processed without Voucher**